

DEPARTMENT OF JUSTICE  
NATURAL RESOURCE DAMAGE PROGRAM



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VIA ELECTRONIC MAIL

September 14, 2018

Mr. Josh Bryson  
Operations Project Manager  
Atlantic Richfield Company  
317 Anaconda Road  
Butte, MT 59701

**Re: Response to AR "Follow-Up Communication to the July 11, 2018 Parrot Tailings Mine Waste Removal, Groundwater Monitoring Well Abandonment Meeting" Letter dated July 27, 2018**

Dear Josh:

To date, the NRDP has made a well-documented and concerted effort to collaborate and communicate with AR on issues of mutual interest on the BPSOU Site. Further, the NRDP has responded to numerous concerns addressed by AR with respect to the Parrot Tailings Waste Removal Project, and has designed and implemented a technically sound Parrot PMP monitoring program. We have reached out to all interested parties, including AR, when we felt our activities may be of interest to the Superfund stakeholders. As we move into active construction on this Project, it is a fact that some long-term monitoring points will be eliminated due to removal activities; as such, some of the requests brought up in the July 11, 2018 meeting were not feasible.

Below are NRDP responses to the above-referenced letter. Each original comment in the letter is stated, along with NRDP's response. Some of the requests in AR's July 27, 2018 letter were not discussed in the meeting, responses have been included as appropriate.

**AR Components**

1. *Atlantic Richfield will provide permission to NRDP to abandon Atlantic Richfield monitoring well BPS11-20.*

**State Response:** BPS11-20 was abandoned on July 28, 2018, this work was conducted by O'Keefe Drilling Company, a Montana licensed contractor. Oversight of this activity was conducted by a WET hydrogeologist. This well was ordered under an EPA Unilateral Administrative Order, and, as such, is under the jurisdiction of the Environmental Protection Agency. AR does not own the property, or the monitoring well, and does not have approval authority on this matter.

The NRDP opened a line of communication with AR on this topic as a matter of courtesy.

2. *Atlantic Richfield will contract with a driller (O'Keefe Drilling or other) for the following:*

*a. Installation of upgradient wells and collection of a core near GS-09-03. The location of these wells will be upgradient of the general construction footprint of the Parrot project. Atlantic Richfield will provide a geologist to guide both the siting and completion depth of each new well. This work will be detailed in a forthcoming Request for Change (RFC).*

**State Response:** The collection of a core near GS-09-03 was not discussed at the July 11 meeting, and site access to this location will be restricted during construction activities. As discussed at length on July 11, this location is within the slag placement area along the Patriot railroad grade. There will be a large volume of slag placed in this area, there is limited ingress/egress, and the final grade will be significantly different than existing grade. As a result, access for a drill rig will not be possible until after construction activities are complete. Per our discussion at the meeting, NRDP would like to have its technical team meet with the AR technical team to select well locations for the upgradient well transect.

Also, it should be noted that the Parrot construction footprint includes both excavation and ET cover areas. NRDP will work to find suitable locations for replacement within the ET cover footprint north of Shields Avenue; however, it should be noted that the final ET cover design has not been completed and as such final site line and grade conditions will change from the current condition.

*b. Once the Parrot Tailings project is complete, Atlantic Richfield will contract with a driller to install replacement wells for any monitoring wells deemed necessary for replacement by Atlantic Richfield.*

**State Response:** EPA has stated in a previous comment letter (SBCBA NPL Site BPSOU RFC: Monitor Parrot Tailings Construction Project, January 16, 2018) that AR is to complete well replacement activities at the Parrot site. Determination on replacement wells will be determined by agency review. NRDP may choose to replace or install additional wells if determined necessary.

3. *Atlantic Richfield will provide the following MSD Sub-Drain data to NRDP:*

*a. Flow data for the duration of the Parrot Construction Project sampling effort. This data will be provided on a bi-annual interval.*

*b. Sampling data from 2017, including flow measurements obtained during NRDP sampling events. Similarly, sample results from 2018 and forward will be provided once validation is completed.*

*c. Video data to NRDP from the MSD Sub-Drain inspection. A current video inspection report is being developed. Two additional video inspections are planned for 2019.*

*d. Historic and current flow data from the MSD Sub-Drain Vault (bi-annual interval).*

*e. Historic and current flow and water quality data from HCC-OUT (bi-annual interval).*

**State Response:** NRDP appreciates the sharing of these items collected as part of remedy. In the meeting, there was mention of an older Subdrain inspection video from several years ago. NRDP also requests a copy of this video.

*4. NRDP can obtain historic Silver Bow Creek monitoring station MSD-OUT data from the BPSOU web portal (<https://etl.treccorp.com>) under "Surface Water (Chemistry)." Once sample results have been validated under the Parrot Removal Monitoring SAP they will also be uploaded to the BPSOU web portal.*

**State Response:** MSD-OUT will be obtained from the BSOU web portal.

### **NRDP Components**

*1. NRDP to provide:*

*a. Access as needed to any NRDP monitoring well within the upper Silver Bow Creek (uSBC) drainage for sampling. An Atlantic Richfield representative will make arrangements at least two days in advance of any needed sampling access.*

**State Response:** As discussed, NRDP will allow AR permission to sample NRDP monitoring wells PMP-10A, PMP-10B, and GS-28B under the supervision of NRDP staff or its designated consultant. AR shall give a minimum of 1-2 week notice to allow for proper access arrangements, similar to protocol used by NRDP on the Parrot PMP sampling efforts. Access to other NRDP wells will required the prior approval of the State Project Officer, Jim Ford.

*b. All sample results obtained from the NRDP Draft Final – Parrot Tailings Waste Removal Performance Monitoring Work Plan (2017) in a user-friendly electronic format (Excel, Access, etc.).*

**State Response:** Validated results from the PMP monitoring program will be submitted to AR. Sample results from the Parrot PMP will be provided in CCR/DSR reports to be completed.

*c. Access to locations specified in item 2 above, as needed by Atlantic Richfield. An Atlantic Richfield*

**State Response:** See previous response to item 2 above. The area near GS-09-03 will not be accessible until after the completion of active construction.

*2. NRDP will protect, in place, monitoring well AMW-08, the newly installed monitoring wells (see item 2 above), and will notify Atlantic Richfield at least one month in advance if these monitoring well locations will need to be extended or require other modification to accommodate changing surface conditions.*

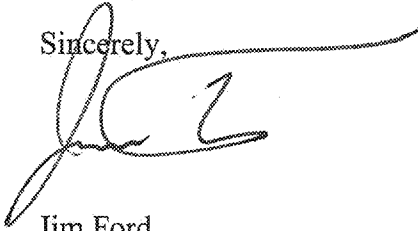
**State Response:** NRDP agrees to protect well AMW-08 in place. The casing will need to be extended to accommodate the proposed ET cover in the area. Newly installed monitoring wells will be protected/extended to the extent practical, depending on final location.

*Additionally, Montana Department of Environmental Quality (DEQ) will provide written interim approval for Atlantic Richfield to proceed with monitoring activities under the existing Atlantic Richfield monitoring plan for the Parrot Tailings construction project. This plan will be expanded and revised by Atlantic Richfield to include consideration and potential impacts resulting from upcoming remedial action activities as described in the proposed BPSOU remedy agreement. The revision will be provided in advance of significant components of remedial activities taking place.*

**State Response:** It is NRDP's understanding that the MDEQ will not approve the AR monitoring plan in its current form. AR should ensure that all comments from all agencies, including NRDP comments, are addressed prior to continued monitoring.

Thank you for the continued coordination.

Sincerely,

A handwritten signature in black ink, appearing to be 'Jim Ford', with a long horizontal flourish extending to the right.

Jim Ford